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4 BILL NO. R-72-12-42

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6 RESOLUTION NO. R-30-74

7 RESOLUTION CONCERNING CONSTRUCTION IN
8 AREAS OF THE CITY IN WHICH THERE IS
9 DANGER OF FLOODING

10 WHEREAS, the City of Fort Wayne, Indiana, has heretofore adopted
11 Chapter 37 of the Municipal Code of the City of Fort Wayne; and,

12 WHEREAS, Section 53, Chapter 37 of the Municipal Code of the
13 City of Fort Wayne as adopted by the City of Fort Wayne states:

14 No work pertaining to the erection, alteration
15 or repairing of a building or structure shall
16 be commenced or proceeded with until the said
17 plans and specifications have been approved
18 by the Building Commissioner and the permit there-
19 on issued.

20 WHEREAS, the Building Commissioner must examine all plans and
21 specifications for the proposed construction when application is
22 made to him for a building permit; and,

23 WHEREAS, the Common Council of the City of Fort Wayne is aware
24 that the City of Fort Wayne does have special flood hazards; and,

25 WHEREAS, Chapter 28(a) of the Municipal Code of the City of
26 Fort Wayne sets forth and establishes subdivision regulations
27 within the City of Fort Wayne, wherein the City Planning Commission
28 and the Board of Public Works shall review all subdivision plans
29 and plots when any area is proposed to be subdivided within the City
30 of Fort Wayne and its two (2) mile jurisdictional area;

31 NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY
32 OF FORT WAYNE, AS FOLLOWS:

- 33 1. That the Building Commissioner for the City of Fort Wayne,
34 when reviewing applications for building permits, including
35 the plans and specifications for the proposed construction,
36 will review all building permit applications to determine if
37 the proposed construction is consistent with the need to
38 minimize flood damage.
- 39 2. That the Building Commissioner shall review all building
40 permit applications to determine if the site of the proposed

construction is reasonably safe from flooding shall make recommendations for construction in all locations which have flood hazards.

3. That the Building Commissioner, in his review of all applications for construction in flood hazard locations within the City of Fort Wayne, shall require the applicant to provide, in his plans and specifications, the following:

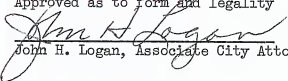
- a. Construction so as to prevent the flotation, collapse or lateral movement of the structure or portions of the structure due to flooding.
- b. The use of construction materials and utility equipment that are resistant to flood damage.
- c. The utilization of construction methods and practices that will minimize flood damage.
- d. Provision for adequate drainage in order to reduce exposure to flood hazards.
- e. Location of public utilities and facilities on the site in such a manner as to be elevated and so constructed to minimize or eliminate flood damage, such utilities and facilities to include sewer, gas, electrical and water systems.

4. Be It Further Resolved that the Planning Commission of the City of Fort Wayne of Public Works, in their reviewing of all subdivision applications, shall make findings of fact and determine if:

- a. All such proposed developments are consistent with the need to minimize flood damage.
- b. Adequate drainage is provided so as to reduce exposure to flood hazards.
- c. Adequate drainage is provided so as not to increase to exposure to flood hazards of adjacent lands.
- d. All public utilities and facilities are located, elevated and constructed so as to minimize or eliminate flood damage, these utilities and facilities to include sewer, gas, electrical and water systems.


Councilman

Approved as to form and legality


John H. Logan, Associate City Attorney

Read the first time in full and on motion by Kravis seconded by
V. Schmidt and duly adopted, read the second time by title and
referred to the Committee on Regulations (and to the
City Plan Commission for recommendation) (and Public Hearing to be held after due legal
notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on
the _____ day of _____, 19____, at _____ o'clock
P.M., E.S.T.

Date: 22/12/72 Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by Nuckols
seconded by V. Schmidt and duly adopted, placed on its passage.
Passed (~~1037~~) by the following vote:

	AYES <u>8</u>	NAYS <u>0</u>	ABSTAINED <u>1</u>	ABSENT _____ to-wit:
Burns	<u>✓</u>	_____	<u>✓</u>	_____
Hinga	<u>✓</u>	_____	_____	_____
Kraus	<u>✓</u>	_____	_____	_____
Nuckols	<u>✓</u>	_____	_____	_____
Moses	<u>✓</u>	_____	_____	_____
Schmidt, D.	<u>✓</u>	_____	_____	_____
Schmidt, V.	<u>✓</u>	_____	_____	_____
Stier	<u>✓</u>	_____	_____	_____
Talarico	<u>✓</u>	_____	_____	_____

Date 4-23-74 Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as (Zoning
Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. B-30-74
on the 23rd day of April, 19 74.

ATTEST: (SEAL) Charles W. Westerman Samuel J. Talarico
CITY CLERK PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of
April, 19 74 at the hour of 11:45 o'clock A. M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 24th day of April, 19 74
at the hour of 11:45 o'clock A. m., E.S.T.

John H. Lewis
MAYOR

Handwritten:
Hawley
~~Hawley~~
2/18/72
~~Hawley~~
Hawley

Bill No. R-72-12-42

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance

RESOLUTION CONCERNING CONSTRUCTION IN AREAS OF THE CITY

IN WHICH THERE IS DANGER OF FLOODING

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance do PASS.

- John Nuckols - Chairman
- Vivian G. Schmidt - Vice-Chairman
- William T. Hinga
- Paul M. Burns
- Donald J. Schmidt

Handwritten signatures:
John Nuckols
Vivian G. Schmidt
William T. Hinga

CONCURRED IN
DATE 4-25-74 CHARLES W. WESTERMAN, CITY CLERK

Bill No. R-72-12-42

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance

RESOLUTION CONCERNING CONSTRUCTION IN AREAS OF THE CITY

IN WHICH THERE IS DANGER OF FLOODING

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance PASS.

Eugene Kraus, Jr., Chairman

James S. Stier, Vice-Chairman

William T. Hinga

Paul M. Burns

Vivian G. Schmidt

Bill No R-72-12 —

RESOLUTION NO. R —

RESOLUTION CONCERNING CONSTRUCTION IN AREAS
OF THE CITY IN WHICH THERE IS DANGER OF FLOODING

WHEREAS, the City of Fort Wayne, Indiana, has heretofore adopted Chapter 37 of the Municipal Code of the City of Fort Wayne; and,

WHEREAS, Section 53, Chapter 37 of the Municipal Code of the City of Fort Wayne as adopted by the City of Fort Wayne states:

No work pertaining to the erection, alteration or repairing of a building or structure shall be commenced or proceeded with until the said plans and specifications have been approved by the Building Commissioner and the permit thereon issued.

WHEREAS, the Building Commissioner must examine all plans and specifications for the proposed construction when application is made to him for a building permit; and,

WHEREAS, the ~~City~~ ^{Common} Council of the City of Fort Wayne is aware that the City of Fort Wayne does have special flood hazards; and,

WHEREAS, Chapter 28(a) of the Municipal Code of the City of Fort Wayne set forth and established subdivision regulations within the City of Fort Wayne, wherein the City Planning Commission and the Board of Public Works shall review all subdivision plans and plots when any area is proposed to be subdivided within the City of Fort Wayne and its two (2) mile jurisdictional area;

NOW THEREFORE, BE IT RESOLVED by the ~~City~~ ^{Common} Council of the City of Fort Wayne, as follows:

1. That the Building Commissioner for the City of Fort Wayne, when reviewing applications for building permits, including the plans and specifications for the proposed construction, will review all building permit applications to determine if the proposed construction is consistent with the need to minimize flood damage.
2. That the Building Commissioner shall review all building permit applications to determine if the site of the proposed construction is reasonably safe from flooding ~~and~~ ^{also} make recommendations for construction in all locations which have flood hazards.
3. That the Building Commissioner, in his review of all applications for construction in flood hazard locations within the City of Fort Wayne, shall require the applicant to provide, in his plans and specifications, the following:

- a. Construction so as to prevent the flotation, collapse or lateral movement of the structure or portions of the structure due to flooding.
- b. The use of construction materials and utility equipment that are resistant to flood damage.
- c. The utilization of construction methods and practices that will minimize flood damage.
- d. ^{Provision for} ~~Provide~~ adequate drainage in order to reduce exposure to flood hazards.
- e. ^{Location of} ~~Relocate~~ public utilities and facilities on the site in such a manner as to be elevated and constructed to minimize or eliminate flood damage, such utilities and facilities including sewer, gas, electrical and water systems.
4. ^{Be it further resolved} ~~He~~ further resolved that the Plan Commission and the Board of Public Works, in their reviewing of all subdivision applications, shall make findings of fact and determine if:
- a. All such proposed developments are consistent with the need to minimize flood damage.
- b. Adequate drainage is provided so as to reduce exposure to flood hazards.
- c. Adequate drainage is provided so as not to increase the exposure to flood hazards of adjacent lands.
- d. All public utilities and facilities are located, elevated and constructed so as to minimize or eliminate flood damage, these utilities and facilities to include sewer, gas, electrical and water systems.

Councilman

Appx

Bill No R-72-12

Resolution No. R-

Common

BE IT RESOLVED by the ~~City~~ Council of the City of Fort Wayne, ~~County~~

~~of Allen, and State of Indiana~~, in accordance with the Resolution making

application for flood insurance, ^{which} said City will hereforth, ^{be submitting to} beginning

~~the Department of Housing and Urban Development~~, 1972, do the following:

~~that the appropriate Department of City government~~
~~of the City of Fort Wayne, Indiana~~
(1) Require building permits for all proposed construction or other improvements in ~~the community~~ ^{said City};

(2) Review all building permit applications for new construction or substantial improvements to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is in a location that has a flood hazard, any proposed new construction or substantial improvement (including prefabricated and mobile homes) must (i) be designed (or modified) and anchored to prevent flotation, collapse, or lateral movement of the structure, (ii) use construction materials and utility equipment that are resistant to flood damage, and (iii) use construction methods and practices that will minimize flood damage;

(3) Review subdivision proposals and other proposed new developments to assure that (i) all such proposals are consistent with the need to minimize flood damage, (ii) all public utilities and facilities, such as sewer, gas, electrical, and water systems are located, elevated, and constructed to minimize or eliminate flood damage, and (iii) adequate drainage is provided so as to reduce exposure to flood hazards; and

(4) Require new or replacement water supply systems and/or sanitary sewage systems to be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and require onsite waste disposal systems to be located so as to avoid impairment of them or contamination from them during flooding.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be transmitted to the Department of Housing and Urban Development.

Councilman

Agreed as to form and legality;

Associate City Attorney

City Clerk Memorandum

CHARLES W. WESTERMAN, Clerk

To Bill Gentner, Urban-Affairs Date January 23, 1973

From Charles W. Westerman, City Clerk

Subject Flood Plain Insurance Ordinances

COPIES TO:

RE: BILL NO. R-72-12-42 & R-72-12-43

BILL NO. R-72-12-42
Resolution concerning construction
in areas of the City in which there
is danger of flooding.

Bill No. R-72-12-43
Application for flood insurance

Your appearance is requested on January 23, 1973, at
7:00 o'clock P.M., E.S.T., Room 124, by the members of the
Common Council and the Standing Committee of Regulations
in regard to the above bill.

Respectfully yours,


Charles W. Westerman
City Clerk

DIGEST SHEET

RESOLUTION CONCERNING CONSTRUCTION IN AREAS OF THE CITY
TITLE OF ORDINANCE IN WHICH THERE IS DANGER OF FLOODING

DEPARTMENT REQUESTING ORDINANCE COUNCILMAN EUGENE KRAUS

RESOLUTION
SYNOPSIS OF ORDINANCE

This resolution pertains to the sale of flood insurance at subsidized rates to those
people whose homes are located in areas prone to flood.

This resolution will eventually lead to the adoption of a Flood Plain Ordinance

EFFECT OF PASSAGE _____

EFFECT OF NON-PASSAGE _____

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

ASSIGNED TO COMMITTEE (J.N.) _____

ORDINANCE CHECK-OFF SHEET

INFORMATION REGARDING ORDINANCE

CONTENTS OF ORDINANCE

	BILL NO.	9-72-12-42
	ORDINANCE NO.	
X	REGULAR SESSION	12-12-72
	SPECIAL SESSION	
	APPROVED AS TO FORM AND LEGALITY	Lige
	BILL WRITTEN BY	Krus
X	DATE INTRODUCED	12-12-72
	REFERRED TO SAID STANDING COMMITTEE	Krus Regulations
	REFERRED TO CITY PLAN	
	LEGAL PUBLIC HEARING	
	LEGAL PUBLICATION	
	JOINT HEARING	
	DEPARTMENT HEARING	
X	HOLD FILE	
	PASS	
	DO NOT PASS	
	WITHDRAWN	
	SUSPENSION OF RULES	
	PRIOR APPROVAL	
	ORDINANCE TAKEN OUT OF OFFICE	
	OTHER INSTRUCTIONS REGARDING ORDINANCE	
	CORRECTIONS MADE TO ORDINANCE	
	PEOPLE SPEAKING FOR ORDINANCE	
	PEOPLE SPEAKING AGAINST ORDINANCE	

X	COMMITTEE SHEET
X	VOIE SHEET
	PURCHASE ORDERS
	BIDS
	ORDERS, BIDS OR OTHER PAPERS TAKEN OUT AND BY WHOM
	LETTER REQUESTING ORDINANCE DRAWN UP BY CITY ATTORNEY
	COMMUNICATIONS FROM
	ZONING MAPS
	ABSTRACTS
	TITLES
	PRIOR APPROVAL LETTER

Digest Subd.

COUNCILMAN'S VOTE

	AYES	NAYS	ABSENT
BURNS			
HINGA			
KRAUS			
MOSES			
NUCKOLS			
D. SCHMIDT			
V. SCHMIDT			
STIER			
TALARIGO			

COMMENTS:

Mr. Jack Wood Insurance agent
to speak - Committee
session Feb. 6.
Held file